

1 THOMAS S. McCONNELL (Bar No. 132932)  
[thomas.mcconnell@msrlegal.com](mailto:thomas.mcconnell@msrlegal.com)

2 KATHRYN R. JONES (Bar No. 252004)  
[katie.jones@msrlegal.com](mailto:katie.jones@msrlegal.com)

3 MILLER STARR REGALIA  
A Professional Law Corporation  
1331 N. California Blvd., Fifth Floor  
Post Office Box 8177  
Walnut Creek, California 94596  
Telephone: (925) 935- 9400  
Facsimile: (925) 933-4126

7 Attorneys for Plaintiff  
CVS PHARMACY, INC., a Rhode Island  
8 corporation

9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA  
11

12 CVS PHARMACY, INC., a Rhode Island  
corporation,

13 Plaintiff,

14 v.

15 STEVEN GINCIG, D.C.M. &  
16 ASSOCIATES, LLC, a California limited  
liability company and DOES 1-10,

17 Defendants.  
18

No. CV12-07000 -ODW (AGRx)

**ORDER GRANTING PRELIMINARY**  
**INJUNCTION**

Date complaint filed: August 14, 2012  
Trial date: None set

19 Based upon the accompanying Stipulation for Preliminary Injunction entered into  
20 between plaintiff CVS PHARMACY, INC. ("CVS"), on the one hand, and defendants STEVEN  
21 GINCIG and D.C.M. & ASSOCIATES, LLC, on the other, and good cause appearing therefor,

22 IT IS HEREBY ORDERED that during the pendency of this action defendants  
23 STEVEN GINCIG and D.C.M. & ASSOCIATES, LLC and their officers, directors, members,  
24 shareholders, affiliated companies, partners, beneficiaries, agents, attorneys, contractors,  
25 subcontractors, consultants, legal and personal representatives, employees, and fictitious names,  
26 including, but not limited to "Peter Ryan", "Thomas E. Darton", "Premier Financial Recoveries",  
27 "Premier Financial Recovery Services", and "Darton, Cheswick & Martin", are enjoined and  
28 restrained from the following:

1                   1.       Interfering with CVS and/or any of its agents, representatives, contractors,  
2 employees, and/or attorneys from collecting any monies from the Vendors identified in Exhibit  
3 "A" to this Order;

4                   2.       Corresponding verbally or in writing with any of the Vendors concerning  
5 CVS and/or the Vendor Debit Balances identified in Exhibit "A";

6                   3.       Collecting or attempting to collect any further Vendor Debit Balances,  
7 identified on Exhibit "A", or any other monies owing to CVS from the Vendors identified in  
8 Exhibit "A".


9                   4.       Retaining possession of any portion of any monies owing to CVS collected  
10 from the Vendors identified in Exhibit "A"; and

11                  5.       Using CVS' name or likeness in any debt collection efforts.

12                  IT IS FURTHER ORDERED that in the event that the above-named defendants  
13 receive any monies from the Vendors identified in Exhibit "A", or any other monies owing to  
14 CVS, defendants shall immediately turnover sums to their counsel of record, Brandon M. Tesser,  
15 who shall deposit said sums into a trust account pending resolution of the above-captioned matter.

16                  **IT IS SO ORDERED.**

17                  Dated: September 13, 2012

  
\_\_\_\_\_  
Hon. Otis D. Wright, II  
United States District Court  
Central District of California